

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HANKIN FAMILY PARTNERSHIP, et al., :

: CIVIL ACTION

Plaintiffs,

: NO. 01-1622

v.

:

UPPER MERION TOWNSHIP, et al., :

:

Defendants.

:

ORDER

AND NOW, this 5th day of January 2012, upon consideration of Defendants' Motion for Summary Judgment, Statement of Uncontested Facts, Revised Statement of Uncontested Facts, and Exhibits in Support (Doc. Nos. 141, 142, 146, 149), Plaintiff Timoney's Memorandum in Opposition to the Motion for Summary Judgment, Statement of Facts in Opposition to Defendants' Statement of Facts, Response in Opposition to Statement of Undisputed Facts, and Exhibits in Support (Doc. Nos. 164, 165, 166, 167-171), Defendants' Reply, Statement of Facts in Opposition to Plaintiff's Statement of Facts, and Exhibits in Support (Doc. Nos. 178, 179, 180), and Plaintiff's Surreply (Doc. No. 182), and for the reasons stated in the Opinion filed this day, it is **ORDERED** as follows:

1. Defendants' Motion for Summary Judgment (Doc. No. 141) is **DENIED** on Counts I, II, and III.

2. The Court will stay the adjudication of Counts V and VI until they become ripe for disposition.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.